

UNITED STATES FEDERAL COURT  
DISTRICT OF MASSACHUSETTS

PATRICK DOE JR,	)	
Plaintiff,	)	
	)	COMPLAINT
v.	)	CIVIL ACTION NO.
	)	
EVERGREEN MARINE (SINGAPORE)	)	
PTE LTD and EVERGREEN SHIPPING	)	
AGENCY (AMERICA) CORP,	)	
As owners of the M/V EVER LUCENT,	)	
Defendants.	)	

INTRODUCTION

1. This is an action for maritime personal injuries brought pursuant to the Longshore and Harbor Workers' Compensation Act.
2. On or about April 3, 2021, the Plaintiff, Patrick Doe, was working as a Longshore and Harbor worker aboard the M/V EVER LUCENT.
3. The plaintiff asserts a cause of action against the Defendants for personal injuries based upon negligence.
4. All Plaintiff claims brought under the Admiralty jurisdiction of this Court.

JURISDICTION AND VENUE

5. This is a maritime case being brought pursuant to 28 U.S.C. §1331(1), the General Maritime Law and the Longshore and Harbor Workers' Compensation Act at 33 U.S.C. §905(b) and Diversity, 28 U.S.C. § 1332.
6. Venue is proper pursuant to 28 U.S.C. §1391.

PARTIES

7. The Plaintiff, John Doe is an individual who resides in Charlestown, Massachusetts.
8. The Defendant, Evergreen Marine (Singapore) PTE Ltd is a corporation organized under the laws of Singapore and at all relevant times the Defendant was conducting business in the Commonwealth of Massachusetts and owned, operated, maintained, and/or chartered the M/V EVER LUCENT.
9. The Defendant, Evergreen Shipping Agency (America) Corp. is a corporation organized under the laws of New Jersey and at all relevant times the Defendant was conducting business in the Commonwealth of Massachusetts and owned, operated, maintained, and/or chartered the M/V EVER LUCENT.

FACTUAL INFORMATION

10. On or about April 3, 2021, Mr. Doe was working as a Longshore and Harbor Worker on board the M/V EVER LUCENT and was tasked with lashing containers at the time of the incident.
11. During this time, the turnbuckle was broken causing it to come free from the lashing pole, resulting in the turnbuckle striking Mr. Doe in his face. Mr. Doe remained alert and orientated and was then transported to the hospital by ambulance.
12. The Defendant, Evergreen Marine (Singapore) PTE Ltd owned, operated, maintained, and/or chartered the vessel in which the Plaintiff was working at the time that he sustained his injuries.

13. The Defendant, Evergreen Shipping Agency (America) Corp., owned, operated, maintained, and/or chartered the vessel in which the Plaintiff was working at the time that he sustained his injuries.
14. At all relevant times the M/V EVER LUCENT was a “vessel” within the meaning of 1 U.S.C. §3.
15. On or about April 3, 2021, the Plaintiff, Patrick Doe, was lashing containers aboard the M/V EVER LUCENT and was caused serious, permanent, and disabling injuries by negligence attributable to the Defendants in the following respects, or as will appear at the time of the trial:
  - a. Failure to exercise reasonable care under the circumstances for the safety of the Plaintiff;
  - b. Failure to provide the Plaintiff a safe working environment;
  - c. Such other negligence as discovery may reveal.

**COUNT I**  
33 U.S.C §905(b)  
(Negligence)

16. Paragraphs 1 through 15 are realleged and incorporated herein by reference.
17. The injuries sustained by the Plaintiff, Patrick Doe, were due to no fault of his own but were caused by the negligence of the Defendants.
18. A job hazard analysis and risk assessment were both reasonably required in advance of docking the vessel for the safety of Longshore and Harbor Workers.
19. The Defendants failed to conform to applicable treatises, statutes, regulations, standards, rules, and their own internal policies regarding the safety of Longshore and Harbor Workers working on board the vessel.

20. The Defendants' negligence exposed the Plaintiff, Patrick Doe, to an unreasonable risk of harm.
21. The negligent acts of the Defendants were the proximate cause of the Plaintiff's injuries.
22. As a result of the Defendants' negligence, the Plaintiff, Patrick Doe, has suffered painful and disabling injuries resulting in the need for extensive past, present, and future medical treatment; permanent disability; and loss of enjoyment of life- all of which the Plaintiff, Patrick Doe, is entitled to recover from the Defendants.
23. This suit is brought for Negligence under the Longshore and Harbor Workers' Compensation Act, 33 U.S.C. §905(b).

REQUEST FOR RELIEF

- a. That this Court, under Count I, enter judgment in favor of the Plaintiff, Patrick Doe, against the Defendants.
- b. For other such relief as this Court deems appropriate.

PLAINTIFF DEMANDS TRIAL BY JURY ON ALL COUNTS

Respectfully submitted,  
For the Plaintiff,  
By his attorney,

/s/ Brian Keane  
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